

Message Text

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DEPT FOR H - WILLIAM B. RICHARDSON; PLEASE PASS TO
CONGRESSMAN FRASER FROM JOHN SALZBERG FEBRUARY 18

E.O. 11652: NA

TAGS: SHUM

SUBJECT: NOTES FOR CONGRESSMAN DONALD M. FRASER FOR HIS STATEMENT
BEFORE THE INTERNATIONAL STUDIES ASSOCIATION 2/19

THE HUMAN RIGHTS RECOMMENDATIONS OF THE COMMISSION ON
US-LATIN AMERICAN RELATIONS (LINOWITZ REPORT).

1. I WOULD LIKE TO COMMEND THE COMMISSION FOR
STRESSING THE IMPORTANCE OF HUMAN RIGHTS IN THE SHAPING
OF US-LATIN AMERICAN RELATIONS. THE COMMISSION HAS
RIGHTLY STATED THAT THE US QTE SHOULD NOT BE
AMBIGUOUS ABOUT ITS OWN COMMITMENT TO DEMOCRATIC
INSTITUTIONS AND LIBERTIES. END QTE.

2. THE SUBCOMMITTEE ON I.O. HAS MADE A SPECIAL
EFFORT TO UPGRADE THE PRIORITY GIVEN TO HUMAN RIGHTS
IN US FOREIGN POLICY. THE SUBCOMMITTEE'S REPORT ON
THIS SUBJECT CONTAINS SEVERAL RECOMMENDATIONS WHICH
ARE SIMILAR TO THE LINOWITZ REPORT. THE SUBCOMMITTEE
HAS CONSIDERED SITUATIONS OF SERIOUS VIOLATIONS OF
HUMAN RIGHTS IN VARIOUS PARTS OF THE WORLD. SPECIAL
ATTENTION HAS BEEN DEVOTED TO CHILE, WITH LESSER
ATTENTION T BRAZIL.

3. I WOULD LIKE TO COMMENT ON 4 OF THE LINOWITZ
RECOMMENDATIONS:

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"RECOMMENDATION 2. THE UNITED STATES SHOULD URGE

ALL STATES IN THE REGION TO PROVIDE FREE ACCESS AND ESSENTIAL GUARANTEES TO THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS. IT SHOULD SUPPORT EFFORTS TO STRENGTHEN THE STAFF AND ENHANCE THE PRESTIGE OF THE COMMISSION, AND SHOULD HELP ASSURE THAT THE COMMISSION'S REPORTS ARE FULLY PUBLICIZED AND DISCUSSED IN THE OAS GENERAL ASSMEBLY."

"RECOMMENDDATION 3: THE UNITED STATES SHOULD PRESS FOR THE INVESTIGATION OF REPORTED VIOLATIONS OF HUMAN RIGHTS BY APPROPRIATE INTERNATIONAL COMMISSIONS, AND IT SHOULD TAKE THE FINDINGS OF THOSE GROUPS INTO ACCOUNT IN DECIDING ON THE SUBSTANCE AND TONE OF ITS BILATERAL AND MULITALTERAL RELATIONS".

"RECOMMENDATION 4. AS A DEMONSTRATION OF ITS DETERMINATION TO DO WHAT IT CAN TO ALLEVIATE THE DISTRESS CAUSED BY POLITICAL REPRESSION,THE UNITED STATES SHOULD EXPAND ITS EMERGENCY IMMIGRATION PROGRAM FOR POLITICAL REFUGEES,WHETHER THOSE REFUGEES FLEE OPPRESSION ON THE LEFT OR RIGHT".

"RECOMMENDATION 10. THE UNITED STATES SHOULD NOT ACTIVIELY ENCOURAGE THE PURCHASE OF ARMS BY LATIN AMERICAN COUNTRIES. HOWEVER, LEGISLATIVE RESTRICTIONS ON ARMS TRANSFERS THAT DISCRIMINATE AGAINST LATIN AMERICA OUGHT TO BE REPEALED. CONVENTIONAL MILITARY EQUIPMENT SHOULD BE AVAILABLE TO LATIN AMERICAN COUNTRIES ON A COMPETITIVE, COMMERCIAL AND N-DISCRIMINATORY BASIS--THE SAME AS THAT GOVERNING SALES TO OTHER FRIENDLY NATIONS, EXCEPT THOSE ENGAGING IN MILITARY HOSTILITIES OR WHOSE SECURITY FORCES ARE FOUND BY APPROPRIATE INTERNATIONAL PROCESSES TO BE SYSTEMATICALLY VIOLATING HUMAN RIGHTS."

4. RECOMMENDATION 2 AND 3. THE US SHOULD URGE STATES TO PROVIDE "FREE ACCESS" TO THE INTER-AMERICAN COMMISSION. THE OAS GA SHOULD FULLY DISCUSS AND PUBLICIZE THE COMMISSION'S REPORT. THE SUBCOMMITTEE ON I.O. MADE A NEARLY IDENTICAL RECOMMENDATION.

THE GA GIVES SCANT ATTENTION TO THE COMMISSION'S REPORT. GOVERNMENT'S OFTEN FLAUNT THE COMMISSION'S REQUEST FOR INFORMATION, ON-SITE INVESTIGATIONS AND UNCLASSIFIED

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RECOMMENDATIONS. THROUGH SIMPLY DISCUSSING THE DETAILS OF THE COMMISSION'S REPORT, THE GA WOULD HAVE A BENEFICIAL EFFECT ON THE RESPONSIVENESS OF GOVTS TO THE COMMISSION'S REQUESTS AND RECOMMENDATIONS.

A CASE IN POINT IS CHILE. THE COMMISSION HAS ISSUED A VOLUMINOUS REPORT ON CHILE BASED ON A FIELD MISSION. THE REPORT CONTAINS A COMPREHENSIVE SET OF RECOMMENDATIONS. THE GOVT OF CHILE HAS DENIED MANY

OF THE COMMISSIONS FINDINGS.

THE US GOVT SHOULD URGE THAT THE GA FULLY DISCUSS THE REPORT AND ADOPT A RESOLUTION ON THE REPORT. THE US SHOULD URGE THE GOVT OF CHLE TO INVITE THE COMMISSION TO MAKE A SECOND INVESTIGATION.

SUCH A POSITION BY THE US WOULD BE CONSISTENT WITH ITS RECENTLY ANNOUNCED POLICY REGARDING SERIOUS VIOLATIONS BROUGHT TO THE ATTENTION OF THE UN COMMISSION ON HUMAN RIGHTS. IN THAT INSTANCE, THE US ANNOUNCED IT WOULD FAVOR A STUDY OF ANY SITUATION WHICH IS REFERRED TO THE COMMISSION BY ITS SUBCOMMISSION PROVIDED THE SITUATION (1) IS REASONABLY SUPPORTED BY THE RECORD BEFORE THE SUBCOMMISSION AND (2) IS OF CONTINUING AND CURRENT CONCERN.

5. RECOMMENDATION NO. 4 THE USG HAS BEEN QUICK TO ACCEPT POLITICAL REFUGEES FROM LEFTIST DICTATORSHIPS BUT SLOW WITH RESPECT TO THOSE WHO FLEE FROM RIGHTIST DICTATORSHIPS.

WE HAVE ACCEPTED VERY FEW CHILEAN REFUGEES. THE DEPARTMENT OF STATE HAS SAID IT IS PREPARED TO RECOMMEND A SPECIAL REFUGEE PROGRAM FOR CHILEAN REFUGEES. IT IS 17 MONTHS SINCE THE JUNTA OVERTHREW ALLENDE. WHY DO WE ACT SO SLOWLY? HUMANITARIAN NEEDS SHOULD NOT BE SUBJECTED TO POLITICAL CONSIDERATIONS.

7. RECOMMENDATION NO. 10 THE LINOWITZ REPORT OPPOSES THE SALE OF ARMS TO OPPRESSIVE REGIMES.

CONGRESS IN THE 1974 FOREIGN ASSISTANCE ACT, CALLED UPON THE PRESIDENT TO SUBSTANTIALLY REDUCE OR TERMINATE MILITARY ASSISTANCE TO GOVERNMENTS WHICH COMMIT GROSS VIOLATIONS OF HUMAN RIGHTS (SEC 502B).

DUE TO THE OPPRESSIVE NATURE OF THE REGIMES,
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CONGRESS BANNED MILITARY AID TO CHILE AND PLACED A CEILING ON MILITARY AID TO S. KOREA. CONGRESS DOES NOT LIKE TO ENACT SPECIFIC COUNTRY LEGISLATION AND WILL NOT HAVE REASON TO DO SO IF THE EXECUTIVE IMPLEMENTS SECTION 502B. HOWEVER, IF THE EXECUTIVE CONTINUES TO DISPENSE MILITARY AID WITHOUT CONSIDERATION TO HUMAN RIGHTS, CONGRESS WILL BE FORCED TO ENACT SPECIFIC COUNTRY LEGISLATION.

7. DON: I WOULD LIKE TO STAY IN GENEVA UNTIL THE COMMISSION COMPLETES THE ITEMS ON H.R. VIOLATIONS, THE MIDDLE EAST AND CHILE. IN ANY CASE, WOULD RETURN NO LATER THAN MARCH 2. IF THIS IS OK PLEASE INFORM BILL RICHARDSON. OTHERWISE I SHALL PHONE YOU.
DALE

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